

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.¹

Chapter 11

**Case No. 12-51502-659
(Jointly Administered)**

**Hearing Date: April 23, 2013 at
10:00 a.m. (Central Time)**

Re: ECF No. 3498

**SECOND ORDER EXTENDING THE DEBTORS' EXCLUSIVE PERIODS
WITHIN WHICH TO FILE A PLAN OF REORGANIZATION
AND SOLICIT VOTES THEREON**

Upon the motion (the "**Motion**")² of Patriot Coal Corporation and its subsidiaries that are debtors and debtors in possession in these proceedings (collectively, the "**Debtors**"), for the entry of an order pursuant to Section 1121(d) of the Bankruptcy Code extending the exclusive periods under Sections 1121(b) and (c) of the Bankruptcy Code within which only the Debtors may file a plan of reorganization and solicit votes thereon, as more fully set forth in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334; and consideration of the Motion and the requested relief being a core proceeding the Bankruptcy Court can determine pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of

¹ The Debtors are the entities listed on Schedule 1 attached to the Motion. The employer tax identification numbers and addresses for each of the Debtors are set forth in the Debtors' Chapter 11 petitions.

² Unless otherwise defined herein, each capitalized term shall have the meaning ascribed to it in the Motion.

the Motion having been provided in accordance with the Debtors' Case Management Order, and it appearing that no other or further notice need be provided; and the Court having reviewed the Motion and the objections filed thereto; and the relief requested in the Motion being in the best interests of the Debtors and their respective estates and creditors; and the Debtors having articulated good, sufficient and sound business justifications and compelling circumstances therefor; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefore, it is hereby

ORDERED that the relief requested in the Motion is granted as set forth herein; and it is further

ORDERED that, pursuant to Section 1121(d) of the Bankruptcy Code, the time within which the Debtors have the exclusive right to file a plan of reorganization pursuant to Sections 1121(b) and (c)(2) of the Bankruptcy Code, is extended through and including September 2, 2013; and it is further

ORDERED that, pursuant to Section 1121(d) of the Bankruptcy Code, the time within which the Debtors may solicit acceptance, and no competing plans may be filed pursuant to Section 1121(c)(3) of the Bankruptcy Code, is hereby extended through and including November 1, 2013; and it is further

ORDERED that the relief requested herein is without prejudice to the Debtors' right to seek additional extensions of the Debtors' Exclusive Periods pursuant to Section 1121(d) of the Bankruptcy Code with respect to one or more of the Debtors; and it is further

ORDERED that this Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order; and it is further

ORDERED that notwithstanding any Federal Rule of Bankruptcy Procedure that might otherwise delay the effectiveness of this Order, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry; and it is further

ORDERED that proper, timely, adequate and sufficient notice of the Motion has been provided in accordance with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court for the Eastern District of Missouri, and no other or further notice of the Motion or the entry of this Order shall be required.


KATHY A. SURRATT-STATES
Chief United States Bankruptcy Judge

DATED: April 26, 2013
St. Louis, Missouri
jjh

Order prepared by:
Marshall S. Huebner
Damian S. Schaible
Brian M. Resnick
Michelle M. McGreal
DAVIS POLK & WARDWELL LLP
450 Lexington Avenue
New York, New York 10017